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8 UNITED STATES DISTRICT  
9 FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11  
12 Plaintiff,

13 vs.

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15  
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17  
18 FRANCISCO DUARTE FIGUEROA,

19  
20 Defendants.  
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4:15-CR-6049-EFS

SUPERSEDING INDICTMENT

Vio: 21 U.S.C. § 846

Conspiracy to Distribute 500 Grams  
or More of a Mixture or Substance  
Containing a Detectable Amount of  
Methamphetamine, 5 Kilograms or  
More of Cocaine, 1 Kilogram or More  
of Heroin and 400 grams or More of  
N-phenyl-N Propanamide  
(Count 1)

Vio: 21 U.S.C. § 841(a)(1),  
(b)(1)(A)(i) and (vi)

Possession with the Intent to  
Distribute 1 Kilogram or More of a  
Mixture or Substance Containing  
Heroin and 400 grams or More of a  
Mixture or Substance Containing N-  
phenyl-N Propanamide  
(Count 2)

Notice of Criminal Forfeiture  
Allegations

1 The Grand Jury Charges:

2 COUNT ONE

3  
4 Beginning on a date unknown but by on or about January 2010 continuing  
5 until present time, here in the Eastern District of Washington and elsewhere, the

6 Defendants, [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 [REDACTED] and FRANCISCO DUARTE FIGUEROA, did knowingly and  
10  
11 intentionally combine, conspire, confederate and agree together with each other  
12 and other persons, both known and unknown to the Grand Jury, to commit the  
13 following offense against the United States, to wit: distribution of 500 grams or  
14 more of a mixture or substance containing a detectable amount of  
15 Methamphetamine, 5 kilograms or more of a mixture or substance containing a  
16 detectable amount of Cocaine, 1 kilograms or more of a mixture or substance  
17 containing a detectable amount of Heroin and 400 grams or more of a mixture or  
18 substance containing a detectable amount of N-phenyl-N Propanamide, all  
19 Schedule II controlled substances, in violation of 21 U.S.C. § 841(a)(1),  
20 (b)(1)(A)(i), (ii)(I), (vi), and (viii); all in violation of 21 U.S.C. § 846.

21  
22 COUNT TWO

23  
24 On or about August 15<sup>th</sup> 2016, in the Eastern District of Washington, the  
25 Defendants, [REDACTED] and FRANCISCO DUARTE  
26 [REDACTED]

FIGUEROA, did knowingly and intentionally possess with intent to distribute approximately 10 kilograms of a substance which contained 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N Propanamide and 1 kilogram or more of a mixture or substance containing a detectable amount of Heroin, Schedule II controlled substances, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(i), (vi) and 18 U.S.C. § 2.

**NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS**

The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of 21 U.S.C. § 846, [REDACTED], [REDACTED]

[REDACTED]  
[REDACTED], and FRANCISCO DUARTE FIGUEROA, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendants:

(a) cannot be located upon the exercise of due diligence;

- 1 (b) has been transferred or sold to, or deposited with, a third party;  
2 (c) has been placed beyond the jurisdiction of the court;  
3  
4 (d) has been substantially diminished in value; or  
5 (e) has been commingled with other property which cannot be divided  
6 without difficulty;  
7


8  
9 the United States of America shall be entitled to forfeiture of substitute property  
10 pursuant to 21 U.S.C. § 853(p).  
11

12  
13 DATED this \_\_\_\_ day of September 2016.

14 A TRUE BILL

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16   
17 Foreperson

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20 MICHAEL C. ORMSBY  
21 United States Attorney

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24 Stephanie A. Van Marter  
25 Assistant United States Attorney  
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